**STATEMENT OF OWNERSHIP & POWER OF ATTORNEY**

Inventors: **Errol Ginsberg, Valeriu Cozlovski, Joel Weissberger, Mark MacWhirter**

Application No.: **09/591,080**

Filing date: **06/09/2000**

Title: **Method of Determining Time Delay for Round-Trip Transmission of Data and Electronic Apparatus Therefor**

Assignee: **Ixia**

Assignee state of incorporation: **California**

RECEIVED

JUL 31 2003

Technology Center 2100

Assignee hereby states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. Such rights include the entire right, title and interest in continuations and divisionals of such patent application. The assignments were recorded in the United States Patent and Trademark Office at Reel/Frame 011218/0911.

The authority and rights of the inventor(s) with respect to this application are hereby excluded in accordance with the provisions of 37 CFR 3.73(b). All prior powers of attorney are hereby revoked.

All of the attorneys associated with Customer Number 33356 are hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to:

SoCal IP Law Group
310 N. Westlake Blvd., Ste. 120
Westlake Village, CA 91362
phone (805) 230-1350
fax (805) 230-1355

Customer Number

33356

The undersigned is empowered to sign this certificate on behalf of the assignee.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that there statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any patent issuing thereon.

7/8/03

Date

Cliff Hannel, VP Engineering



Attorney Docket No. I004-P03095US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ginsberg

Application No.: 09/591,080

Appl'n No.

Bar Code:



Filed: 06/09/2000

For: Method of Determining Time Delay for
Round-Trip Transmission of Data and
Electronic Apparatus Therefor

Art Unit: 2155

Examiner: C LaForgia

RECEIVED

JUL 31 2003

Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

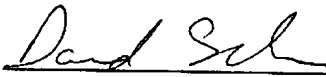
Declaration of David Schneider

I, David Schneider declare as follows:

1. I am a consultant of Ixia, the same company which owns the above-identified patent application.
2. I am the manager of technical publications at Ixia. These technical publications include user manuals.
3. I have been continuously responsible for all of the user manuals that Ixia has published since its first manuals.
4. Between July 11 and July 16, 2003 I undertook a search for publications by Ixia dated prior to June 9, 2000 and relating to measurement of round trip delay (at Ixia, we generally call this Round Trip Flows, or "RTF"). My search included the following features: (a) the use of timestamps on transmitted packets; (b) synchronization of multiple chassis; (c) latency measurements using packet groups; and (d) the TCL API that provides access to these features.
5. These features are described in the Theory chapter now included in most Ixia manuals and in appropriate sections of the IxExplorer manuals.

6. In November, 1999 Ixia first made available release 2.1 of its IxExplorer product. A revised manual accompanied this release; this manual includes the earliest appearance of any description of RTF in any Ixia manual.
7. I have review the request for information from the Patent and Trademark Office mailed May 7, 2003 in the above-identified patent application. The other manuals mentioned in the request would not have had any content related to RTF.
8. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that there statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any patent issuing thereon.

Date: July 21, 2003



David Schneider